

**WEST TISBURY
COMMONWEALTH OF MASSACHUSETTS**

**WARRANT FOR
ANNUAL TOWN MEETING**

County of Dukes County, SS
To Either of the Constables of the Town of West Tisbury,

GREETINGS:

In the name of the Commonwealth of Massachusetts you are hereby directed to notify and warn the inhabitants of West Tisbury qualified to vote in elections and in Town affairs to meet in the **West Tisbury Elementary School**, Old County Road, in said Town on **Tuesday the Tenth day of April, two thousand and seven**, at **seven o'clock** in the evening; then and there to act on the articles of this Warrant.

And to meet again in the West Tisbury Public Safety Building (North Tisbury Fire Station) in said West Tisbury on **Thursday, the Twelfth Day of April, at Twelve O'Clock Noon** at the Polling Place, then and there to act on Article 1 of the Warrant by the election of Officers on the Official Ballot.

The polls for voting on the Official Ballot will be **opened at Twelve O'Clock Noon** and shall be closed **at Eight O'Clock in the Evening**.

ARTICLE 1: To elect the following Officers on the Official Ballot:

- One Moderator for One Year
- One Member of the Board of Selectmen for Three Years
- One Member of the Board of Health for Three Years
- One Member of the Board of Assessors for Three Years
- One Treasurer for One Year
- One Tax Collector for One Year
- One Town Clerk for One Year
- One Tree Warden for One Year
- Two Members of the Finance Committee for Three Years
- Two Library Trustees for Three Years
- One Member of the Planning Board for Four Years
- One Member of the Planning Board for Two Years
- One Member of Parks and Recreation for Three Years

ARTICLE 2: To hear reports of the Town Officers and Committees and act thereon.

(NO ACTION)

ARTICLE 5: To see if the Town will vote to Authorize the Treasurer and or Collector to enter into Compensating Balance Agreements during Fiscal Year 2008 as permitted by General Laws, Chapter 44, Section 53F. **(RECOMMENDED)**

ARTICLE 6: To see if the Town will vote to Raise and Appropriate the sum of Twelve Thousand Dollars (\$12,000) as the third and final payment of the Town's share of the cost for the Massachusetts Estuaries Project in the Tisbury Great Pond. **(RECOMMENDED)**

ARTICLE 7: To see if the Town will vote to Raise and Appropriate the sum of Twenty-Four Thousand Dollars (\$24,000) to be used by the Board of Assessors for a valuation update of real and personal property to meet triennial certification of values as required by Massachusetts State Law for Fiscal Year 2011. **(RECOMMENDED)**

ARTICLE 8: To see if the Town will vote to Raise and Appropriate the sum of One Thousand Six Hundred Twenty-Six Dollars and Sixty-Seven cents (\$1,626.67) for the purpose of funding its one-third share of the cost of a new copy machine for the Tri-Town Ambulance. **(RECOMMENDED)**

ARTICLE 9: To see if the Town will authorize the Town Selectmen to appoint three (3) representatives to an island-wide advisory group, with representation from Town Boards, to draft a nomination with proposed guidelines and regulations for an Island-wide Energy DCPC. **(RECOMMENDED)**

ARTICLE 10: To see if the Town will vote to amend the Personnel Bylaw (Section 26-3 & 26-4) Salary plan, to reflect a salary adjustment of 3.8% effective July 1, 2007 **(NOT RECOMMENDED)**

ARTICLE 11: To see if the Town will vote to Raise and Appropriate the sum of Thirty One Thousand Three Hundred Forty-Six Dollars (\$31,346) to fund the Town of West Tisbury's share of the administrative expenses of the Dukes County Regional Housing Authority in Fiscal Year 2008, provided however, that the other five towns on Martha's Vineyard vote in the affirmative to raise and appropriate their respective sums. **(RECOMMENDED)**

ARTICLE 12: To see if the Town will vote to authorize the Board of Selectmen to request, from the State of Massachusetts, local control of the herring runs in the Town of West Tisbury. (MGL Ch. 130, §94) **(RECOMMENDED)**

ARTICLE 13: To see if the Town will vote to amend Section IX in the *Up-Island Regional School Agreement* by:

Deleting the second paragraph of sub-section A. in its entirety and replacing it with the words:

"The town that owns the facility in question shall pay a total of 80% of the capital costs regardless of its enrollment in that facility. The remaining 20% of the capital costs shall be paid by the two other towns in the regional district, by dividing the balance of 20% between them, based upon each of the other two towns' share of their combined enrollment. The school census of October 1st of the fiscal year preceding the fiscal year for which the assessment is being determined shall be used to ascertain percentages. In any case, the total contribution of all members combined shall equal 100% of the capital costs."

Capital costs shall be apportioned to each member based upon the percentage of it student population in the school facility for which the assessment is being determined. The school

ARTICLE 14: To see if the Town will vote to petition the General Court to enact the following:

An ACT relative to group insurance for municipal employees in the Town of West Tisbury

Section One. Notwithstanding the provisions of any general or special law to the contrary, the Town of West Tisbury is deemed to have accepted the provisions of G. L. c. 32B, § 10, authorizing the Town to provide a plan of group health and other insurance to persons in service of the Town as of May 21, 1974, the date it first appropriated funds to provide § 32B benefits to said persons.

Section Two. This act shall take effect upon its passage. **(RECOMMENDED)**

ARTICLE 15: To see if the Town will vote to rescind the Town Bylaw “Competitive Bidding” voted at the Annual Town Meeting May 16, 1978, amended ATM May 19, 1981, further amended ATM May 15, 1990. This bylaw was passed prior to the State enacting the Procurement Act, which regulates purchasing. **(RECOMMENDED)**

ARTICLE 16: To see if the Town will vote to rescind the Town Bylaw “Motor Vehicle” voted at the Annual Town Meeting February 11, 1924. This bylaw requires all vehicles to travel to the right of all white lines painted on the town roads. **(RECOMMENDED)**

ARTICLE 17: To see if the Town will vote to appropriate from Free Cash the sum of Seven Thousand, Four Hundred Forty Dollars (\$7,440) to be used by the Board of Assessors for a valuation update of business personal property accounts to meet triennial certification of values as required by Massachusetts State Law for Fiscal Year 2008 **(RECOMMENDED)**

ARTICLE 18: To see if the Town will vote to amend Section 4.4-3B of the Zoning Bylaw as follows (new language in **bold** print):

4.4-3B. Multi-Family Housing by Special Permit

At the sole discretion of the Planning Board as Special Permit granting authority, upon a finding that the proposed dwelling units are consistent with the Town of West Tisbury Master Plan and provide needed housing for Town residents, a Special Permit may be granted allowing any combination of residences or apartments where the density exceeds the standards in Subsection 4.4-1(A), provided that **the following criteria are met: if two dwelling units are proposed, both shall be restricted as affordable housing as defined in this bylaw; if three dwelling units are proposed, at least two shall be restricted as affordable housing; if four or more dwelling units are proposed, then at least 75% of the units shall be restricted as affordable housing;** and that the total number of dwelling units in any single building may not exceed four. **(NO ACTION)**

ARTICLE 19: To see if the Town will vote to amend Section 14.2 of the Zoning Bylaw by adding the following new definition:

“Art Gallery: Art gallery shall mean premises for the preparation, sale, display or barter of paintings, sculpture, glass, pottery, ceramics, jewelry, fibers arts; or original or limited edition graphic arts and photographs created by individual artists on a single piece basis. Art reproductions, books, and other related goods may also be sold.” **(NO ACTION)**

ARTICLE 20: To see if the Town will vote to withdraw from the Up-Island Regional School District. **(RECOMMENDED)**

ARTICLE 21: To see if the Town will vote to act upon the recommendations of the

- b. Historical Resources reserve \$57,000 (10% of FY2008 Community Preservation Fund revenues)
- c. Community Housing reserve \$57,000 (10% of FY2008 Community Preservation Fund revenues)
- d. Administrative reserve \$28,500 (5% of FY2008 Community Preservation Fund revenues)
- e. Undesignated reserve \$370,500 (65% of FY2008 Community Preservation Fund revenues) **(RECOMMENDED)**

ARTICLE 22: To see if the Town will vote to appropriate from the Community Preservation Historical Resources reserve the sum of \$5,700.00 to conduct a survey and planning assessment of West Tisbury's existing historic inventory. **(RECOMMENDED)**

ARTICLE 23: To see if the Town will vote to appropriate from the Community Preservation Community Housing reserve the sum of \$29,500.00 to fund predevelopment costs associated with the addition of new units of affordable rental housing at the Sepiessa Point Apartments. **(RECOMMENDED)**

ARTICLE 24: To see if the Town will vote to appropriate from the Community Preservation Community Housing reserve the sum of \$18,000.00 to provide rental subsidies for West Tisbury applicants currently on the Dukes County Regional Housing Authority's Rental Conversion Program waitlist. **(RECOMMENDED)**

ARTICLE 25: To see if the Town will vote to appropriate from the Community Preservation Undesignated reserve the sum of \$80,000.00 towards future construction of a path along Old County Road starting at the northern bike path entrance (Hopps Farm Road) and continuing along the East side of Old County Road to the intersection of Old County Road and State Road. **(RECOMMENDED)**

ARTICLE 26: To see if the Town will vote to expend the sum of Eighteen Thousand Eight Hundred Seventy-Five Dollars and Seventeen Cents (\$18,875.17), surplus dog license fees, received from the county per M.G.L. Chapter 140 Section 172, for the support of the West Tisbury Public Library under the direction of the Library Trustees. **(RECOMMENDED)**

ARTICLE 27: To see if the Town will vote to Transfer from Free Cash the sum of \$1,966.47 to Expenses (line 610-5700) be expended by the West Tisbury Free Public Library under the direction of the Library Trustees. **(RECOMMENDED)**

ARTICLE 28: To see if the Town will vote pursuant to the provisions of M.G.L. Chapter 44, Section 53E1/2 to authorize a revolving fund for purposes of receiving from the Martha's Vineyard Refuse Disposal and Resource Recovery District the fees collected at the West Tisbury local drop-off site and to pay the Martha's Vineyard Refuse Disposal and Resource Recovery District for the expenses related to the operation of the West Tisbury local drop-off, without further appropriation, said funds to be expended in an amount not to exceed Ninety Nine Thousand Dollars (\$99,000) during the fiscal year, as approved by the West Tisbury Board of Health. **(RECOMMENDED)**

ARTICLE 29: To see if the Town will vote to Appropriate from Free Cash the sum of Thirty Three Thousand Five Hundred Dollars (\$33,500) for the purchase of one (1) new 4WD Police Cruiser **(RECOMMENDED)**

ARTICLE 31: To see if the Town will vote to Appropriate from Free Cash the sum of Three Thousand Two Hundred Dollars (\$3,200) to replace the West Tisbury Police Department's (6 year old computer) server. **(RECOMMENDED)**

ARTICLE 32: To see if the Town will vote to Raise and Appropriate the sum of Two Thousand Five Hundred Dollars (\$2,500) for our town's contribution to the Martha's Vineyard Drug Task Force program for the purposes of training, education and surveillance. This amount is our share of a matching funds program. **(RECOMMENDED)**

ARTICLE 33: To see if the Town will vote to transfer a sum of Fifteen Thousand Dollars (\$15,000) from the Fire Department's Personal Service (Line 220-5120) and Eight Thousand Eight Hundred (\$8,800) from the money appropriated for the Jaws of Life (Article 25, ATM 4/11/06) to Expenses (line 220-5700) for the purpose of painting two fire stations. **(RECOMMENDED)**

ARTICLE 34: To see if the Town will vote to establish under Chapter 40, Section 5B of the Massachusetts General Laws, a new Stabilization Fund, the SCAB Air Pack Stabilization Fund, for the purpose of providing for the future acquisition of a SCAB Air Packs for West Tisbury Fire Department. **(RECOMMENDED)**

ARTICLE 35: To see if the Town will vote to Raise and Appropriate Fifty Thousand Dollars (\$50,000) to be added to the SCAB Air Pack Stabilization Fund. **(RECOMMENDED)**

ARTICLE 36: To see if the Town will vote to Raise and Appropriate Sixteen Thousand Five Hundred Dollars (\$16,500) to be added to the Ambulance Replacement Stabilization Fund. **(RECOMMENDED)**

ARTICLE 37: To see if the Town will Vote to Appropriate from Free Cash the sum of Two Thousand Eight Hundred Thirty-Four Dollars (\$2,834) to fund the position of Highway Laborer for the remainder of Fiscal Year 2007. **(RECOMMENDED)**

ARTICLE 38: To see if the Town will vote to form a Building Committee, appointed by the Board of Selectmen, and to Raise and Appropriate the sum of One Hundred Fifty Thousand Dollars (\$150,000) for architectural, engineering and other planning related fees in order to develop plans for a Town Hall Building to the level of construction drawings and bid documents. **(RECOMMENDED)**

ARTICLE 39: To see if the Town will vote to redirect the unspent funds appropriated for the purpose of upgrading the permitting software on April 13, 2004 Article 12 the sum of Five Thousand One Hundred Twenty-Five Dollars and Fifty-Two Cents (\$5,125.52) for upgrading the Microsoft Office related licensing on the Town Hall computers. **(RECOMMENDED)**

ARTICLE 40: To see if the Town will vote to Appropriate from Free Cash the sum of Ten Thousand Dollars (\$10,000) to be added to the Reserve Fund (Line 132-5700). **(RECOMMENDED)**

ARTICLE 41: To see if the Town will authorize the Highway Superintendent, on behalf of the Board of Selectmen, to apply for a Small Town Road Assistance Program grant, in the amount of \$343,860.00, for the purpose of drainage and paving work on North Road. **(RECOMMENDED)**

ARTICLE 42: To see if the Town will vote to designate West Tisbury Assessor's map 10.

ARTICLE 44: To see if the Town will appropriate from Free Cash the sum of One Thousand Dollars (\$1,000) for the purposes of funding West Tisbury's share of the Martha's Vineyard Cultural Council's annual budget. **(BY PETITION, RECOMMENDED)**

ARTICLE 45: To see if the Town will vote to adopt the following By-Law:

No person shall, after April 11, 2007, hold membership on more than one of the following municipal boards and committees at the same time: Board of Selectmen, Board of Assessors, Board of Health, Planning Board, Board of Appeals, Finance Committee and Up-Island Regional School District Committee. If, after November 2, 2010 a person holding membership on one of the aforementioned boards or committees, is appointed and sworn into office, or elected and sworn into office, to a town board or committee listed above, all other offices set forth above to which such person was formally appointed or elected shall thereupon become vacant and a qualified person shall be appointed or elected in the manner prescribed for the filling of vacancies on said committee or board. Nothing in this bylaw shall prohibit a person from becoming a candidate for election, or an applicant for appointment, or participating in town meeting.

This bylaw shall become effective upon approval by the Attorney General.

(BY PETITION, NO ACTION)

And you are directed to serve this Warrant by posting attested copies thereof in not less than six (6) public places in West Tisbury fourteen days at least before the holding of such meeting.

Hereof fail not and make due return of this Warrant with doings thereon to the Town Clerk at the time and place of Meeting aforesaid.

Given under our hands this 14TH Day of March in the Year Two Thousand Seven.

John G. Early, Chairman

Glenn Hearn

Jeffrey S. Manter

WEST TISBURY SELECTMEN

DATE:

I have posted attested copies of the above Warrant in not less than six (6) public places in West Tisbury fourteen (14) days before such meeting.